

Message Text

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13

ACTION NEA-12

INFO OCT-01 ADP-00 CIAE-00 DODE-00 PM-09 H-02 INR-10 L-03

NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-15 USIA-12

AID-20 OMB-01 RSR-01 /101 W
----- 017522

R 241101 Z APR 73

FM AMCONSUL LAHORE

TO SECSTATE WASHDC 9539

INFO AMEMBASSY ISLAMABAD

AMCONSUL KARACHI

LIMITED OFFICIAL USE LAHORE 0429

E. O. 11652: N/ A

TAGS: PINS, PINT, PK

SUBJECT: COURT ORDERS GENERAL JILANI RELEASED ON BAIL

REF: LAHORE 0328, 0242

1. ON APRIL 23 LAHORE HIGH COURT RULED THAT CONTINUED DETENTION OF RETIRED GENERAL JILANI WAS PRIMA FACIE UNLAWFUL AND THAT HIS ARREST HAD BEEN MADE IN UNLAWFUL MANNER. COURT ORDERED HIM TO BE RELEASED ON RS. 200,000 BAIL ON CONDITION HE REMAIN IN LAHORE AREA BUT STAYED ITS RELEASE ORDER FOR TWO DAYS PENDING GOP APPEAL TO SUPREME COURT.

2. DURING COURT PROCEEDINGS SUBSEQUENT TO THOSE REPORTED LAHORE 0328, GOVERNMENT CLAIMED IT HAD DOCUMENTARY PROOF THAT JILANI HAD CONSPIRED WITH INDIA AND OTHER FOREIGN POWERS DURING INDO- PAK DIFFICULTIES IN LATE 1971, AND THAT IT HAD BEEN NECESSARY TO CALL OUT ARMED FORCES AND LAY LAND MINES IN NWFP IN ORDER TO CAPTURE JILANI, THEREBY PREVENTING HIS ESCAPE TO AFGHANISTAN. GOVERNMENT ATTORNEY, HOWEVER, FAILED TO PRESENT EVIDENCE BEFORE COURT.

3. COMMENT: LAHORE HIGH COURT' S BAIL ORDER, EVEN THOUGH SUS-
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PENDED PENDING APPEAL TO SUPREME COURT, IS DEMONSTRATION OF
INDEPENDENCE OF JUDICIARY IN WHAT IS WIDELY BELIEVED WAS IN-
TENDED TO BE POLITICAL TRIAL DESIGNED TO NEUTRALIZE WALI KHAN' S
NAP.

DECONTROL DEC 31, 1976

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NMAFVVZCZ

*** Current Handling Restrictions *** n/a

*** Current Classification *** LIMITED OFFICIAL USE

Message Attributes

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Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
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Disposition Date: 28 MAY 2004
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KARACHI
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